

IN RE: JOSE JAVIER GOMEZ FALGAS

Bkrtcy. No. 10-10158-ESL

Chapter 13

STANDING CHAPTER 13 TRUSTEE §341 MEETING MINUTES  
AND REPORT ON CONFIRMATION

Petition Filing Date: <u>Oct 29, 2010</u>	Meeting Date: <u>Dec 02, 2010</u>	DC Track No. <u>27</u>						
Days from petition date: <u>34</u>	Meeting Time: <u>3:00 PM</u>							
910 Days before Petition: <u>5/2/2008</u>	<input type="checkbox"/> Chapter 13 Plan Date: <u>Oct 15, 2010 Dkt.# 2</u>	<input type="checkbox"/> Amended.						
This is debtor(s) <u>2nd</u> Bankruptcy petition.		Plan Base: <u>\$34,500.00</u>						
This is the <u>1st</u> Scheduled Meeting		Confirmation Hearing Date: <u>Dec 29, 2010</u> Time: <u>2:00 PM</u>						
Payment(s) <input type="checkbox"/> Received or <input type="checkbox"/> Evidence shown at meeting:	<table border="1" style="width:100%"> <thead> <tr> <th>Ck/MO No.</th> <th>Date</th> <th>Amount</th> </tr> </thead> <tbody> <tr> <td colspan="3"> </td> </tr> </tbody> </table>	Ck/MO No.	Date	Amount				Total Paid In: <u>\$0.00</u>
Ck/MO No.	Date	Amount						

<b>I. Appearances:</b> <input type="checkbox"/> Telephone <input type="checkbox"/> Video Conference		<input type="checkbox"/> Creditor(s) present: <input checked="" type="checkbox"/> None.
<input type="checkbox"/> Debtor Present	<input type="checkbox"/> ID & Soc. OK <input type="checkbox"/> Debtor Absent	
<input type="checkbox"/> Joint Debtor Present	<input type="checkbox"/> ID & Soc. OK <input type="checkbox"/> Joint Debtor Absent	
Debtor(s) was/were <input type="checkbox"/> Examined <input type="checkbox"/> Not Examined under oath.		
Attorney for Debtor(s) <input type="checkbox"/> Present <input type="checkbox"/> Not Present		
<input type="checkbox"/> Substitute attorney: _____ <input type="checkbox"/> Pro-se.		

<b>II. Attorneys Fees as per R 2016(b) Statement</b>		Attorney of record: <u>MARILYN VALDES ORTEGA*</u>
Total Agreed: <u>\$3,000.00</u>	Paid Pre-Petition: <u>\$330.00</u>	Outstanding: <u>\$2,670.00</u> <small>THROUGH THE PLAN</small>


<b>III. Trustee's will file Motion to Dismiss:</b>	<input type="checkbox"/> For Failure to appear;	<input type="checkbox"/> For Failure to commence payments.
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<b>IV. Trustee's Report on Confirmation &amp; Status of §341 Meeting</b>		
Debtor(s) Income is (are) <input type="checkbox"/> Under <input checked="" type="checkbox"/> Above Median Income.	Liquidation Value: <u>\$</u>	
Commitment Period is <input type="checkbox"/> 36 <input checked="" type="checkbox"/> 60 months. [§1325(b)(1)(B)]	Gen. Unsecured Pool: <u>\$</u>	
<u>1.39</u> The Trustee <input type="checkbox"/> RECOMMENDS <input type="checkbox"/> OBJECTS	Plan confirmation.	
§341 Meeting <input type="checkbox"/> CONTINUED <input type="checkbox"/> NOT HELD <input type="checkbox"/> CLOSED <input checked="" type="checkbox"/> HELD OPEN FOR <u>10</u> DAYS		
§341 Meeting Rescheduled for: _____		

<b>V. Trustee's OBJECTIONS to Confirmation:</b>		
<input checked="" type="checkbox"/> FEASIBILITY [§1325(a)(6)]	<input type="checkbox"/> INSUFFICIENTLY FUNDED	<input type="checkbox"/> To pay §507 <input type="checkbox"/> Fails Creditor's Best Interest Test §1325(A)(4)
<input checked="" type="checkbox"/> FAILS DISPOSABLE INCOME REQUIREMENTS	<input checked="" type="checkbox"/> Tax returns requirements. [§1308]	
<input type="checkbox"/> Failure to comply with DSO requirements	<input type="checkbox"/> Plan not filed in Good Faith §1325(a)(3)	<input type="checkbox"/> Unfair Discrimination §1322(a)(3)

## ADDITIONAL OBJECTIONS / COMMENTS:

- 1) Debtor will submit 2008 tax return.
- 2) Debtor will submit pre-nuptial agreement and evidence that Debtor and his wife maintain individual administration and ownership of their property.
- 3) Debtor will submit evidence of financial help from Debtor's wife.

/s/ José R. Carrión  
Trustee  
Presiding OfficerPage 1 of 1

Date: Dec 02, 2010